IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO.5830/1993
(Rajasthan Sahayak Karamchari Sangh, District Branch, Bhilwara Vs. State of Raj. & Ors.)

Date of Judgment : 10.08.2007

P R E S E N T

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Ms. Shanta Ojha, for the petitioner.
Mrs. R.R. Tanwar, for the State.

This writ petition has been filed by Rajasthan Sahayak Karamchari Sangh, District Branch, Bhilwara for regularization of one of its member Smt. Lahari Devi widow of Jagdish Chandra, resident of Village Borada, Tehsil Kotadi, District Bhilwara.

A preliminary objection has been raised by Dy. Govt. Advocate that this writ petition has been filed by Sangh for the regularization of service of one of its members whereas the petition should have been filed by aggrieved party. It is true that the aggrieved party is required to agitate his case. However, in this case, the Sangh is agitating the

grievance of a widow lady. Therefore, in the peculiar circumstances of the case, the preliminary objection raised by Dy. Govt. Advocate is rejected.

It is stated in the writ petition that Smt. Lahari Devi widow of Jagdish Chandra – member of the Sangh was initially appointed as daily wages employee at the rate of Rs.14/- per day or maximum Rs.364/- per month vide order dated 16.8.88 by Senior Deputy Education Officer (Girls), Bhilwara and the Sangh is claiming for regularization of her services.

The respondents have filed reply to the writ petition and in para-6, it is stated that the State Government has formulated a scheme for regularization of such temporary employees and in that process those incumbents who are senior and are eligible and possess requisite educational qualifications are being regularized subject to the availability of the vacancies. It is admitted in the reply that the case of the petitioner shall be considered according to her turn and at present the petitioner is being paid in accordance with the law.

In this view of the matter, since the writ petition was filed in the year 1993 and today in the month of August, 2007, it has been listed in the Court for hearing, therefore, it is ordered that if still the case of Smt. Lahari Devi W/o Jagdish Chandra –

member of the petitioner-Sangh for regularization is pending and she is still in service, her case for regularization on the post of Class-IV employee shall be considered by the Education Department in accordance with the Scheme within a period of two months from the date of passing this order and upon finding that petitioner is entitle for regularization, she may be granted all consequential benefits.

With the above directions, the writ petition is disposed of.

(GOPAL KRISHAN VYAS), J.

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